

-> copyright protection extends to computer programs in whatever form they are expressed, it is important they are original and result from the author's own intellectual creation.

-> in "computer program" also preparatory design materials are included.

-> source code + object code protected by copyright

• NOT PROTECTED

- ideas and principles
- programming language
- format of data files
- graphic user interface

• REPRODUCTION RIGHT

• ALTERATION RIGHT = non-creative alteration / creative alteration

! alteration so creative to give life to completely autonomous work.

• DISTRIBUTION RIGHT - sales / rentals

• EXCEPTIONS reproduction, translation, adaptation and arrangement do not require authorization when they are necessary for use of the computer program.

(LAST SLIDE: 16)

6) DATABASES collection of independent work, data or other materials arranged in a systematic or methodical way and individually accessible by electronic or other means

! not necessarily the CREATIVE part to be protected by copyright.

INDEPENDENT MATERIALS => separable from one another

MATERIALS arranged in a systematic or methodical way

L individually accessible

COPYRIGHT PROTECTION

- FORMS OF PROTECTION - 2 forms / - PROTECTION THROUGH A SUI GENERIS RIGHT FOR DATABASES THAT HAVE REQUIRED SIGNIFICANT INVESTMENT

COPYRIGHT PROTECTION

-> selection / arrangement of these contents constitute the author's own intellectual creation  
 INFO -> creativity in setting up the database  
 if the setting up of the database is dictated by technical considerations / rule -> it's OK NO CREATIVITY

-> HOLDER OF ECONOMIC RIGHTS OF EXPLOITATION  
 IS THE MAKER OF THE DATABASE

SCOPE OF PROTECTION (SLIDE + APPROFONDITO)

- copyright protection does not extend to the databases contents
- exclusive right to permanent / temporary reproduction
- exclusive alteration right
- exclusive right of public distribution of the original / copies
- exclusive rights of communication, display or performance of the database to the public
- exclusive right of reproduction, distribution, communication, display or performance to the public

GUARDA NECCHI APPUNTI

FREE UTILIZATIONS

- teaching - scientific research
- public security - administrative / judicial procedure

• TERM OF PROTECTION -> 70 years after death of the maker of the database

## • PROTECTION by SUI GENERIS RIGHT

(RIGHT HOLDER → maker of database

"whoever makes significant investments"<sup>h</sup>

only protect EU member's 'nationals / resident

## • PROTECTION REQUIREMENTS

→ significant investments

- quantifiable resources

! intellectual effort or energy

- in the creation

- in the verification

- in the presentation

## • SCOPE OF PROTECTION

- extended to their information content <sup>SLIDE</sup>

- right to prohibit any act of extraction/  
re-utilization → SLIDE

- exhaustion

## • TERM OF PROTECTION

→ 15 yrs from January 1st of the year  
following the date of completion

→ in case database is made available before  
deadline, 15 yrs from Jan 1st of the year  
following the date when the database  
was first made available to the public

SLIDE 29

## ⊕ INTELLECTUAL PROPERTY and MODERN TECHNOLOGIES 880BINE LAST 2 LECTURES